IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.445 OF 2004
IN
WRIT PETITION NO.1495 OF 1989

Professor Anil V.Mandke ...Petitioner

Versus

Indian Institute of Technology
and 4 Ors. ...Respondents.

....

Mr.A.K.Saxena, Advocate for the Petitioner.
Mr.Tushar Goradia i/b. B.K. & Girdharlal & Co. for the Respondents.

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CORAM : **DR.S.RADHAKRISHNAN AND SMT.V.K.TAHILRAMANI,JJ.**

DATED : **DECEMBER 15, 2006.**

P.C.:

1. Heard the learned counsel for the petitioner and the learned counsel for the respondents. By this Notice of Motion, the petitioner is seeking recall of order dated 5th July, 2004 whereby the above Petition was dismissed in default.

2. Perused the affidavit in support of the Motion. For the reasons stated in the affidavit

in support of the Motion, sufficient cause is made out. There is no negligence, omission or inaction on the part of the petitioner in prosecuting the above matter. Hence, Notice of Motion is made absolute in terms of prayer clause (a).

3. Place the above Petition on board for final hearing on 15th January, 2007.

[DR.S.RADHAKRISHNAN,J.]

[SMT.V.K.TAHILRAMANI,J.]